

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

BILLY TYLER,	)	4:13CV3119
	)	
Plaintiff,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
EPA,	)	
	)	
Defendant.	)	

This matter is before the court on its own motion. On October 8, 2013, the court entered a Memorandum and Order directing Plaintiff to file an amended complaint no later than November 8, 2013. (Filing No. [9](#).) The court warned Plaintiff that failure to file an amended complaint by the court's deadline would result in the dismissal of this matter without further notice. To date, Plaintiff has not filed an amended complaint in this matter.

IT IS THEREFORE ORDERED that: This matter is dismissed without prejudice because Plaintiff failed to prosecute this matter diligently and failed to comply with this court's orders. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 30<sup>th</sup> day of December, 2013.

BY THE COURT:

s/ Joseph F. Bataillon  
United States District Judge

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